

UNITED STATES DISTRICT COURT  
DISTRICT OF MONTANA  
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LASSANA DIABY,

Defendant.

FINDINGS AND  
RECOMMENDATION  
CONCERNING PLEA

Case Number: CR-21-51-M-DLC

The Defendant, by consent, has appeared before me pursuant to Federal Rule, Fed. R. Crim. P. 11, and has entered a plea of guilty to one count of Theft of Mail by Officer or Employee, in violation of 18 U.S.C. §1709, as set forth in the Indictment. After examining the defendant under oath, the Court determined that the plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense charged and to which a plea was entered contained each of the essential elements of the offense. I recommend that the Defendant be adjudged guilty and that sentence be imposed. A presentence report has been ordered.

DATED this 26<sup>th</sup> day of January, 2022.



John Johnston,  
United States Magistrate Judge

**NOTICE**

Objections to these Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).